

DATE 9/20/2007

SIGNATURE OF ATTORNEY OF RECORD

☐ SAN JOSE

☒ SAN FRANCISCO/OAKLAND

(PLACE AND "X" IN ONE BOX ONLY)

IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2)

IF ANY "NOTICE OF RELATED CASE".

VIII. RELATED CASE(S)

UNDER F.R.C.P. 23

JURY DEMAND: ☐ YES ☐ NO

VII. REQUESTED IN COMPLAINT: ☐ CHECK IF THIS IS A CLASS ACTION DEMAND \$ ☐ CHECK YES only if demanded in complaint:

Breach of Contract, Quantum Meruit, Intentional Misrepresentation, and Negligent Misrepresentation

VI. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Other Civil Rights <input type="checkbox"/> 446 Amer w/ disab - Empl <input type="checkbox"/> 447 Amer w/ disab - Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 510 Motion to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt Relations <input type="checkbox"/> 730 Labor/Mgmt Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl/Ret. Inc. Security Act	<input type="checkbox"/> 861 HIA (1395H) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DWIC/DWI (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <input type="checkbox"/> 870 Taxes (US Plaintiff or Defendant <input type="checkbox"/> 871 IRS - Third Party <input type="checkbox"/> 26 USC 7609	<input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 950 Constitutional of State <input type="checkbox"/> 900 Appeal of Fee <input type="checkbox"/> 995 Freedom of Information Act <input type="checkbox"/> 895 Energy Allocation Act <input type="checkbox"/> 894 Environmental Matters <input type="checkbox"/> 893 Economic Stabilization Act <input type="checkbox"/> 892 Agricultural Acts <input type="checkbox"/> 891 12 USC 3410 <input type="checkbox"/> 875 Customer Challenge <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 490 Cable/Satellite TV <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 400 State Reapportionment
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	FEDERAL TAX SUITS	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted <input type="checkbox"/> 153 Veterans (Excl) <input type="checkbox"/> 160 Student Loans (Excl) <input type="checkbox"/> 160 Veterans Benefits <input type="checkbox"/> 160 Recovery of Overpayment <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault Libel & Slander <input type="checkbox"/> 330 Federal Employers <input type="checkbox"/> 340 Marine Liability <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle Liability <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 365 Personal Injury <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Injury Product Liability <input type="checkbox"/> 385 Property Damage <input type="checkbox"/> 390 Other Personal Injury Product Liability	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury <input type="checkbox"/> 365 Personal Injury <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Injury Product Liability <input type="checkbox"/> 385 Property Damage <input type="checkbox"/> 390 Other Personal Injury Product Liability	FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	SOCIAL SECURITY <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	PROPERTY RIGHTS <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157
CONTRACT	TORTS	PERSONAL INJURY	LABOR	FEDERAL TAX SUITS	OTHER STATUTES

V. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

<input type="checkbox"/> Original Proceeding	<input type="checkbox"/> Removed from State Court	<input type="checkbox"/> Remanded from Appellate Court	<input type="checkbox"/> Reinstated or Reopened	<input type="checkbox"/> Transferred from Another district (specify)	<input type="checkbox"/> Multidistrict Litigation	<input type="checkbox"/> Appeal to District Judge from Magistrate Judgment
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(PLACE AN "X" IN ONE BOX ONLY)

IV. ORIGIN

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)
<input type="checkbox"/> Citizen of This State	<input type="checkbox"/> Citizen of Another State	<input type="checkbox"/> Citizen or Subject of a Foreign Country	<input type="checkbox"/> Foreign Nation
<input type="checkbox"/> Incorporated or Principal Place of Business in This State	<input type="checkbox"/> Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> Incorporated or Principal Place of Business in This State	<input type="checkbox"/> Foreign Nation

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

<input type="checkbox"/> (c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Laura Each Nguyen, 5776 Lindero Canyon Road, D-233 Westlake Village, CA 91362 818.665.4083	<input type="checkbox"/> (b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF San Mateo
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1.(a) PLAINTIFFS
Tricor America, Inc.

DEFENDANTS
DHL CANADA EXPRESS, LTD., a Canadian corporation; LOMIS CANADA HOLDING COMPANY, INC., a Canadian corporation